

REMARKS/ARGUMENTS

The Office Action dated March 10, 2009 has been reviewed and carefully considered. New claims 21-22 have been added, no new matter has been added. Claims 1-2, 6-10 and 13-22 are pending. Reconsideration of the above-identified application in light of the amendment and remarks is respectfully requested.

In the Office Action, claims 1, 2, 8-10, 15-18 and 20 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Maeda et al. (U.S. Patent 6,556,546) B1 in view of Mao et al. (U.S. Patent No. 6,886,178 B1). It is respectfully submitted that independent claims 1, 8, 15 and 18 are patentable over Maeda and Mao for at least the following reasons.

Independent claim 1 has been amended to recite "...wherein said navigation data stream includes at least one of, in-stream data and out-stream data, data for searching and data for generating menus *wherein the navigation data also includes data for reproduction control...*"

Applicants can find nothing Maeda and Mao that teaches the above limitations. Amended independent claim 8, 15 and 18 recite similar limitations.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference

or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Since Maeda and Mao, alone or in combination, fail to disclose each and every element claimed, applicant submits that the reason for the Examiner's rejection of claims 1, 8, 15 and 18 has been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of claims 1, 8, 15 and 18.

In the Office Action, claims 6, 7, 13 and 14 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Maeda in view of Mao and in further view of Rotem et al. (U.S. Patent No. 7,043,484). Claim 19 stands rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Maeda in view of Mao and in further view of Na (U.S. Patent No. 6,504,996).

With regard to the dependent claims 2, 6-7, 9, 10, 13, 14, 16, 17 and 19-22, these claims ultimately depend from one of the independent claims, which have been shown to be allowable in view of the cited references. Accordingly, claims 2, 6-7, 9, 10, 13, 14, 16, 17 and 19-22 are also allowable by virtue of their dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Thomas J. Onka', written over a horizontal line.

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